

MARVIN A. PORTER, JR.)
v.) No. 3-10-0585
PROGRESSIVE DIRECTIONS, INC.)

By order contemporaneously entered, the Court has approved and entered the parties' proposed management order, with slight modifications addressed at the initial case management conference held on July 26, 2010. Those modifications and other matters addressed on July 26, 2010, are as follows:

2. Inasmuch as the parties anticipate little or no discovery of electronically stored information, they are exempted from the provisions of Administrative Order No. 174, entitled "Default Standard for Discovery of Electronically Stored Information ('E-Discovery')," entered July 9, 2007.

4. The parties shall have until November 22, 2010, to file any discovery motion or, alternatively, to schedule a telephone conference call with the Court to address any discovery dispute.

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No other filings in support of or in opposition to any dispositive motion shall be made except with the express permission of the Honorable John T. Nixon.

There shall be no stay of discovery before the November 22, 2010, deadline for completion of discovery even if a dispositive motion is filed prior thereto.

In consultation with Judge Nixon's office, a jury trial is scheduled to begin on **Tuesday, July 12, 2011, at 9:00 a.m.**, in Courtroom 774, U.S. Courthouse, 801 Broadway, Nashville, TN. The parties estimate that the trial will last approximately three (3) days.

The parties are directed to contact Ms. Mary Conner, courtroom deputy to Judge Nixon, by 12:00 noon on Friday, July 8, 2011, if this case has settled. Failure to provide such notification in the event the parties have settled the case may result in assessment of costs against the parties and/or their attorneys, including but not limited to the costs of summoning the jurors. The pretrial conference is also scheduled before Judge Nixon, on **Wednesday, June 29, 2011, at 10:00 a.m.**, in Chambers, 770 U.S. Courthouse.

By May 30, 2011, counsel shall advise opposing counsel of those portions of any depositions to be read to the jury or those portions of video depositions to be viewed by the jury, in accord with Local Rule 32.01(b) and Rule 26(a)(3)(A)(ii) of the Federal Rules of Civil Procedure, and shall serve a list of the expected witnesses and exhibits in accord with Rule 26(a)(3)(A)(i) and (iii) of the Federal Rules of Civil Procedure.

By June 10, 2011, the parties shall file any motions in limine, any evidentiary objections to deposition testimony, in accord with Local Rules 32.01(b) and 39.01(d)(1) and Rule 26(a)(3)(B), and any objections to proposed exhibits in accord with Rule 26(a)(3)(B).

Any responses to such motions in limine, and any responses to objections to deposition testimony and proposed exhibits shall be filed by June 22, 2011.

By June 22, 2011, the parties shall also:

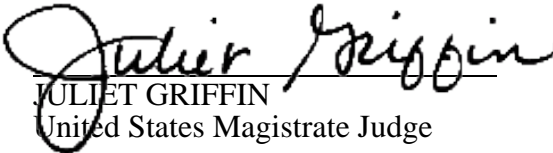
1. Submit a proposed joint pretrial order;¹
2. Exchange their final lists of witnesses and exhibits;
3. File their respective final witness and exhibit lists;
4. File a listing of all agreed stipulations; and
5. File proposed jury instructions, any special interrogatories, and any special

verdict forms.

A deadline for filing pretrial briefs will be established at the pretrial conference, if appropriate.

The parties shall premark all exhibits and comply with Local Rule 39.01(c)(4).

It is so ORDERED.


JULIET GRIFFIN
United States Magistrate Judge

¹ The pretrial order shall contain (1) a recitation that the pleadings are amended to conform to the pretrial order and that the pretrial order supplants the pleadings; (2) a short summary of the plaintiff's theory (no more than one page); (3) a short summary of the defendant's theory (no more than one page); (4) the issues to be submitted to the Court and the jury; (5) any anticipated evidentiary issues; and (6) a statement that the parties have complied with the provisions of this order.